

PATENT COOPERATION TREATY

PCT

REC'D 22 MAR 2005

DECLARATION OF NON-ESTABLISHMENT OF INTERNATIONAL SEARCH REPORT

(PCT Article 17(2)(a), Rules 13ter.1(c) and Rule 39)

PCT

Applicant's or agent's file reference PHCN030040WO	IMPORTANT DECLARATION	Date of mailing (day/month/year) 21/03/2005
International application No. PCT/IB2004/052292	International filing date (day/month/year) 04/11/2004	(Earliest) Priority date (day/month/year) 28/11/2003
International Patent Classification (IPC) or both national classification and IPC G06F17/60		
Applicant KONINKLIJKE PHILIPS ELECTRONICS N.V.		

This International Searching Authority hereby declares, according to Article 17(2)(a), that no international search report will be established on the international application for the reasons indicated below.

1. ☒ The subject matter of the international application relates to:
 - a. ☐ scientific theories.
 - b. ☐ mathematical theories
 - c. ☐ plant varieties.
 - d. ☐ animal varieties.
 - e. ☐ essentially biological processes for the production of plants and animals, other than microbiological processes and the products of such processes.
 - f. ☒ schemes, rules or methods of doing business.
 - g. ☐ schemes, rules or methods of performing purely mental acts.
 - h. ☐ schemes, rules or methods of playing games.
 - i. ☐ methods for treatment of the human body by surgery or therapy.
 - j. ☐ methods for treatment of the animal body by surgery or therapy.
 - k. ☐ diagnostic methods practised on the human or animal body.
 - l. ☐ mere presentations of information.
 - m. ☒ computer programs for which this International Searching Authority is not equipped to search prior art.
2. ☒ The failure of the following parts of the international application to comply with prescribed requirements prevents a meaningful search from being carried out:

☐ the description
☒ the claims
☐ the drawings
3. ☐ The failure of the nucleotide and/or amino acid sequence listing to comply with the standard provided for in Annex C of the Administrative Instructions prevents a meaningful search from being carried out:

☐ the written form has not been furnished or does not comply with the standard.
☐ the computer readable form has not been furnished or does not comply with the standard.
4. ☐ The failure of the tables related to the nucleotide and/or amino acid sequence listing to comply with the technical requirements provided for in Annex C-bis of the Administrative Instructions prevents a meaningful search from being carried out:

☐ the written form has not been furnished.
☐ the computer readable form has not been furnished or does not comply with the technical requirements.
5. Further comments: see further information sheet

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FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 203

The claims relate to subject matter for which no search is required according to Rule 39 PCT. Given that the claims are formulated in terms of such subject matter or merely specify commonplace features relating to its technological implementation, the search examiner could not establish any technical problem which might potentially have required an inventive step to overcome. Hence it was not possible to carry out a meaningful search into the state of the art (Art. 17(2)(a)(i) and (ii) PCT; see PCT International Search Guidelines, Chapter 9).

Due to the fact that the application as originally filed in toto contains no subject-matter for which a search needs to be carried out, and the limitations posed on amendments by Rule 70.2(c) PCT it is not possible to overcome the defects in the international phase. Analogous dispositions existing in the EPC (Rule 45, Art 52(2) and Art. 123(2) EPC) the same applies to an eventual regional phase before the EPO.